



To enhance mission performance, TSA is committed to promoting a culture founded on its values of Integrity, Innovation and Team Spirit.

REVISION: This revised directive supersedes TSA MD 200.18, Direct Leasing, dated June 4, 2013.

SUMMARY OF CHANGES: Section 2: Scope was updated; Section 3: Authorities were updated; Section 4: Definitions were updated; and Section 5: Responsibilities were updated.

1. **PURPOSE:** This directive provides TSA policy and procedures for the establishment of Lease Agreements with Lessors.
2. **SCOPE:** This directive applies to direct leasing for space for Federal Security Directors (FSDs), Special Agents in Charge (SACs), Transportation Security Officers (TSOs), Federal Air Marshals (FAMS), and other TSA program offices requiring office space.

All other matters concerning real estate for TSA Headquarters in the DC metro area and Mission Support Center facility locations, as well as all TSA field locations, other than passenger checkpoint and baggage screening space, including leasing using GSA as TSA's real estate leasing agent, are addressed in [TSA MD 200.3 Headquarters Facilities Management](#) and [TSA MD 200.12, Space and Furniture for Field Locations](#) and [TSA MD 200.15 Mission Support Centers](#).

3. AUTHORITIES:

- A. 41 CFR Part 102, Federal Management Regulations
- B. Aviation Transportation Security Act (ATSA), Pub. L. No. 107-71, 115 Stat. 597 (2001)
- C. [CAO Letter 200-9 – TSA Workplace Standards Modification to Existing Policy](#)
- D. [DHS MD 119-02, Real Property Management Program](#)
- E. DHS 119-02-003 Workspace Standard Instruction
- F. [DHS MD 11030.1, Physical Protection of Facilities and Real Property](#)
- G. [TSA MD 100.0, TSA Roles and Responsibilities](#)
- H. [TSA MD 200.0 Chief Administrative Officer Roles and Responsibilities](#)

4. DEFINITIONS:

- A. Facilities and Infrastructure Branch (FAIB): The branch within Office of Finance and Administration (OFA) Real Estate Management Division (REMD) that manages and oversees the building management and facilities support at the TSA HQ locations in the DC metro area and has the responsibility of developing requirements, allocating space, planning and executing

projects, and generally providing quality office space, furniture, facility services, and support services to the HQ locations customers.

- B. Chief Administrative Officer (CAO): Assistant Administrator for the Office of Finance and Administration.
- C. Federal Management Regulations (FMR): Regulatory guidelines pertaining to acquisition and management of public buildings, utilities, space, furniture, and other programs and activities of the General Services Administration which are applicable to other Federal agencies.
- D. Field Services Branch (FSB): The branch within OFA REMD that has the responsibility of developing requirements, allocating space, planning and executing projects, and generally providing quality office space (on and off-airport), furniture, facility services, and support services to the customers in the field.
- E. General Services Administration (GSA): Acts as leasing agent and landlord for the Federal Government and, as such, provides real estate services to TSA except in cases where the Lease Agreement is directly between the Lessor and TSA.
- F. Lease Agreement: An official document by which the rights of use and occupancy of space are transferred by the owner to another entity for a specific period of time and rental rate.
- G. Lessor: One who holds title to and conveys the right to use and occupy a property under Lease Agreement.
- H. Real Property Leasing Process Manual: Provides guidance to procedures that TSA follows when leasing real property in support of agency missions.
- I. Real Estate Contracting Officer Warrants Program Guide: Instruction providing procedural guidance and references for establishment of TSA real estate warrant actions.
- J. TSA Real Estate Contracting Officer (TSA RECO): A Real Estate Contracting Officer holding a warrant granted by the TSA Chief Administrative Officer (CAO) in accordance with [TSA Instruction 200.18, Real Estate Contracting Officer Warrants Program Guide](#).
- K. TSA Real Estate Contracting Officer Warrants Program (RECOWP): The TSA warrants program for TSA RECOs that includes management authorities, minimum guidelines, and procedures for obtaining a real estate warrant at the various levels for acquisition, management, utilization and disposal of interests in real property by a certificate of appointment. The warrant levels may be adjusted, upon the recommendation of the Real Estate Management Division (REMD) Director and at the discretion and the approval from the OFA AA/CAO.
- L. Direct Leasing Branch (DLB): The branch within OFA REMD that has the responsibility of procuring and managing the TSA Direct Lease Portfolio.

5. RESPONSIBILITIES:

A. Office of Finance and Administration (OFA) is responsible for:

- (1) Supervising the Real Estate Management Division (REMD);
- (2) Establishing and maintaining the RECOWP;
- (3) Establishing policies and providing support to the REMD; and
- (4) Establishing a liaison with the Office of Acquisition for sharing of information updates, such as acquisition policy updates.

B. REMD DLB is responsible for:

- (1) Executing Lease Agreements, including but not limited to:
 - (a) Awarding ancillary contracts in support of authorized direct lease actions and construction for direct lease facilities;
 - (b) Communicating with the lessor for construction/renovation projects for all TSA direct lease facilities;
 - (c) Managing the lease acquisition and tenant improvement contracts for all direct leases with the lessor;
 - (d) Working with FAIB or FSB for oversight of the tenant improvement build-outs from the customer side;
 - (e) Developing the solicitation package to facilitate the evaluation and negotiation of all bids submitted by prospective lessors, in regards to all direct leasing actions;
 - (f) Coordinating with FAIB or FSB to discuss amendments or responses to questions and submits written responses to offerors (if applicable);
 - (g) Coordinating with FAIB or FSB to draft/finalize the Source Selection Plan (SSP) (if applicable);
 - (h) Coordinating with FAIB or FSB to draft/finalize the lease contract documentation including up-to-date lease and lease amendment documentation;
 - (i) Contacting the Lessor to confirm the lease contract documentation that will be used to establish the prospective Lease Agreement;
 - (j) Announcing the agency's intent to sole source by posting a sole source notification on FedBizOpps (if applicable);

- (k) Negotiating lease terms with the Lessor, documenting the outcomes, and awarding the lease;
 - (l) Conducting market survey and preparing market research for lease awards;
 - (m) Developing and posting an award notification on FedBizOpps and award notice correspondence to participating contractors; and
 - (n) Managing the day to day financial lease administration and modifications to any and all TSA direct leases.
- (2) Reviewing and signing off on all Inter-Agency Agreements for real property or containing a real property component before Contracting Officer (CO) execution; and
- (3) Working with the Occupational Safety, Health, and Environment Division (OSHE) to ensure occupational safety, health, and environmental requirements are appropriately addressed in accordance with the Real Property Leasing Process Manual.

C. Office of Chief Counsel (OCC) is responsible for:

- (1) Reviewing applicable Request for Lease Proposal (RLP) and lease package documents to ensure legal sufficiency and compliance with all relevant laws and policy; and
- (2) Advising the TSA RECO when negotiating the lease and in determining which clauses should be included in the lease based on unique requirements.

6. POLICY: TSA will promote and enforce efficient space acquisition on the basis of policies and standards contained in this directive, with due consideration for mission needs, economy and efficiency.

- A. REMD is the only TSA entity that shall enter into Lease Agreements directly between a Lessor and TSA. REMD approves all agreements (contract, lease, interagency agreement) related to TSA leased and owned real estate portfolios including lease acquisition, facilities operations and maintenance, construction, and real estate disposition.
- B. The TSA RECOs shall only enter into Lease Agreements as set forth in [TSA Instruction 200.18, Real Estate Contracting Officer Warrants Program Guide](#).
- C. The policies set forth in TSA MD 200.18, shall otherwise remain in effect.

7. PROCEDURES: Reference the [TSA Real Property Leasing Process Manual](#).

NOTE: All references in the TSA Real Property Leasing Process Manual to the Office of Acquisition should be understood to refer to the REMD Direct Leasing Branch and all references to Contracting Officer/Contracting Specialist should be understood to refer to the TSA RECO.

- 8. APPROVAL AND EFFECTIVE DATE:** This policy is approved and effective the date of signature unless otherwise specified.

APPROVAL

Signed

September 9, 2016

Pat A. Rose, Jr.
Assistant Administrator/ Chief Financial and Administrative Officer
Office of Finance and Administration

Date

EFFECTIVE

Date

Distribution: Assistant Administrators and Office Directors
Point-of-Contact: MDs&Forms-17@tsa.dhs.gov